

FIFTEENTH DAY.

Senate Chamber,
Austin, Texas,
Wednesday, May 9, 1917.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem. Suiter.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Clark.	Parr.
Dayton.	Robbins.
Dean.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.
Hopkins.	

Absent.

Hudspeth.

Absent—Excused.

Alderdice.	Lattimore.
Decherd.	McCollum.
Hall.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

Excused.

Senator McCollum for today on motion of Senator Dayton.

Petitions and Memorials.

See Appendix.

Committee Reports.

See Appendix.

Message from the Governor.

Here the following message from the Governor was received and laid before the Senate:

Governor's Office,
Austin, Texas, May 9, 1917.

To the Thirty-fifth Legislature in Called Session.

At the request of Honorable J. W. Crudgington, I hereby submit for your consideration a bill, hereto attached, being an Act creating an independent school district to be known as "Stratford Independent School District."

I also submit for your consideration the passage of an Act to amend Article 5890, Chapter 3, Title 91, of the Revised Civil Statutes of 1911, of the State of Texas, pertaining to the unlawful disposition of property, illegal wearing of uniform and the discrimination against any person lawfully wearing the uniform of the army, navy, marine corps or revenue service of the United States, or of the National Guard or naval service of this State, or otherwise in the military or naval service of the United States or of this State, as prescribed for such person at that time or place by law.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

Bills and Resolutions.

By Senator Johnson of Hall:

S. B. No. 56, A bill to be entitled "An Act creating an independent school district, known as "Stratford Independent School District," and to provide for the creation of a board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers and providing authority to issue bonds for the purpose of purchasing school sites and constructing, furnishing and equipping school buildings within the same, and to levy a tax therefor, etc., and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Johnston of Harris:

S. B. No. 57, A bill to be entitled "An Act giving to the owner of any real estate or interest therein sold under execution, order of sale, deed of trust, mortgage or other contract lien the right to redeem the same at any time in one year from the date of sale, by paying to the purchaser the amount of the purchase money

paid together with interest thereon; providing that property redeemed under the Act shall not again be subject to levy or sale for the debt for which it was sold; providing that from the period of redemption allowed by this Act shall be deducted a period equal to any extension of the debt; providing that the right of redemption shall not be waived; providing that the Act shall have no application when the real estate is sold after the final maturity of the debt, or when the debt represents purchase money and less than one-half of the principal of the debt has been paid, or when the debt bears interest at the rate of 6 per cent, or less; providing that the right of redemption shall for all purposes be treated and regarded as real estate, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Page:

S. B. No. 58, A bill to be entitled "An Act to amend Article 5890, Chapter 3, Title 91, of the Revised Civil Statutes of 1911 of the State of Texas, pertaining to the unlawful disposition of property, illegal wearing of uniform and the discrimination against any person lawfully wearing the uniform of the army, navy, marine corps or revenue cutter service of the United States, or of the National Guard or naval service of this State or otherwise in the military or naval service of the United States or of the National Guard or naval service of this State, or otherwise in the military or naval service of the United States or of this State as prescribed for such person at that time or place by law, regulation of the service or custom on account of his wearing such uniform or of his being in such service, and prescribing a penalty therefor, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Robbins:

S. B. No. 59, A bill to be entitled "An Act authorizing the Governor of the State of Texas to make sale of lands mentioned and execute a deed conveying to the Independent Order of Odd Fellows' Widows and Orphans Home an undivided one-half interest in and to a certain two acres of land, being a part of the lands now used and occupied by the State Or-

phans' Home, such land so conveyed to be for the joint use and occupancy of the said Independent Order of Odd Fellows' Widows and Orphans Home and State Orphans Home for the sinking thereon of a deep water well and the water supply for the two institutions, and declaring an emergency."

Read first time and referred to Committee on Public Buildings and Grounds.

Senate Concurrent Resolution No. 12.

By Senator Clark:

Whereas, The American people have always held in high admiration the courage and patriotism of those who are willing, if necessary, to lay down their lives in defense of human liberty, and who are ready at all times to back their words with their deeds; and,

Whereas, Honorable Theodore Roosevelt has shown himself possessed of that brand of patriotism in offering to lead a division of American soldiers in the great war now being waged against Germany along the battle lines in France; and,

Whereas, He led with distinguished valor and heroism a regiment of "Rough Riders" composed largely of volunteers from Texas in the noted battle of San Juan Hill during the Spanish-American war, and we believe the American flag in his hands would be borne aloft with the same glorious success and credit on European soil alongside the flags of France and England; therefore, be it

Resolved, That the Senate of Texas, the House of Representatives concurring, hereby request the Congress of the United States to permit him to lead a division of American volunteers on the battlefields of France, where the brave forces of our allies are now contending against a mighty foe for the establishment of the principles of liberty and democratic government and the preservation of the rights so sacred to every American heart.

Resolved, That our Representatives in Congress be requested to, exert their influence to have this permission granted to Colonel Roosevelt in token of our appreciation of the timely aid given our people by France in the most trying days of our country's history, and to the end that the American spirit may be made

manifest to all the world in this awful hour.

The resolution was read and Senator Dayton offered the following:

Amend the resolution by adding the name of General Luther Hare of Texas.

Senator Bailey moved to refer the resolution and pending amendment to the Committee on Military Affairs.

Senator Clark moved to table the motion to refer, which motion was lost by the following vote:

Yeas—10.

Buchanan of Bell.	Page.
Clark.	Parr.
Dean.	Smith.
Decherd.	Strickland.
Floyd.	Westbrook.

Nays—12.

Bailey.	Harley
Bee.	Hopkins.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Dayton.	King.
Gibson.	McNealus.

Present—Not Voting.

Suiter.

Absent.

Henderson.	Robbins.
Hudspeth.	Woodward.

Absent—Excused.

Alderdice.	Lattimore.
Hall.	McCollum.

Action then recurred upon the motion to refer and the same prevailed, and the resolution was referred accordingly.

Senate Concurrent Resolution No. 13.

Be it resolved by the Senate, the House of Representatives concurring, That the Honorable Ben H. Denton, judge of the Sixth Judicial District of Texas, be and is hereby granted a leave of absence from the State during the months of July, August and September, 1917.

GIBSON.

The resolution was read and adopted.

Simple Resolution No. 85.

(By unanimous consent.)

Be it resolved by the Senate that debate on any amendment to the appropriation bills be limited to five minutes to the proponents of the amendment, and five minutes to the opposition.

HENDERSON.

The resolution was read and on motion of Senator Henderson the same was referred to the Committee on Rules.

Resolution Signed.

The Chair (President Pro Tem. Suiter) gave notice of signing and did sign, in the presence of the Senate, after its caption had been read, the following:

S. C. R. No. 10, inviting the eminent representatives of France, now in the United States, to address the Texas Legislature.

House Bill No. 2.

The Chair announced that H. B. No. 2 was next in order and was in the act of laying same before the Senate.

Senator Bee called for pending business, Senate Bill No. 16.

Senator McNealus made the point of order that this is House bill day and that Senate bills cannot be considered until the conclusion of the morning call and that House bills are included in the morning call.

The point of order was sustained.

The Chair laid before the Senate, on second reading House Bill No. 2.

The Committee report recommending a substitute bill and that said substitute be printed was adopted.

Senator McNealus made the point of order that the committee substitute had not been printed in accordance with the report and could not be further considered.

The point of order was sustained, the Chair holding that the bill is not properly before the Senate at this time.

Senator Caldwell moved to lay the bill on the table subject to call and at such time as the bill is printed.

The motion prevailed.

House Bill No. 1.

The Chair laid before the Senate as regular order on second reading:

H. B. No. 1, A bill to be entitled "An Act making appropriations to pay salaries of judges, and for the support of the judicial department of State government for two years beginning September 1, 1917, and ending August 31, 1919, and declaring an emergency.

Pending.

Recess.

At 12:00 o'clock the Senate, on motion of Senator Johnson of Hall, recessed until 2:00 p. m. today.

After Recess.

(Afternoon Session.)

The Senate was called to order by President Pro Tem. Suiter.

Message from the Governor.

Here the following message from the Governor was received and laid before the Senate:

Governor's Office,
Austin, Texas, May 9, 1917.

To the Thirty-fifth Legislature in Called Session:

At the request of Honorable J. H. Woods, I hereby submit for your consideration a bill, hereto attached, being an Act authorizing the Governor of the State of Texas to make sale of lands mentioned and execute a deed conveying to Independent Order of Odd Fellows Widows and Orphans Home an undivided one-half interest in and to a certain two acres of land, being a part of the lands now used and occupied by the State Orphan Home, such lands so conveyed to be for the joint use and occupancy of the said Independent Order of Odd Fellows Widows and Orphans Home and State Orphan Home for the sinking thereon of a deep water well and a water supply for the two institutions.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

Executive Session—Time Set.

Senator Johnston of Harris moved that the Senate go into executive session next Friday morning at 10:05 o'clock for the purpose of considering appointments made by the Governor.

The motion prevailed.

Messages from the House.

Hall of the House of Representatives
Austin, Texas, May 9, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 24, A bill to be entitled "An Act validating all elections held under and by virtue of petitions, orders of commissioners courts, and the posting of notices thereof under the provisions of Section 8, Chapter 169, Acts of the Regular Session of the Thirty-third Legislature, where such petition, orders and notices were filed, made and posted prior to the taking effect of Committee Substitute Senate Bill No. 108 and the election held therein being held subsequent to the taking effect of Committee Substitute Senate Bill No. 108, enacted at the Regular Session of the Thirty-fifth Legislature, and approved by the Governor on March 6, 1917; providing that this act shall in no wise alter, affect, abrogate or in any wise abridge the rights, powers and duties of the Livestock Sanitary Commission of the State of Texas under such Committee Substitute Senate Bill No. 108, and declaring an emergency."

Respectfully,

BOB BARKER,
Chief Clerk, House of Representatives.

Hall of the House of Representatives
Austin, Texas, May 9, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 20, A bill to be entitled, "An Act to create a common county line school district, to be known as Bethel District No. 34 in Stonewall

and Jones Counties, and declaring an emergency."

Respectfully,

BOB BARKER,
Chief Clerk, House of Representatives.

Senate Bill No. 56.

(By unanimous consent.)

On motion of Senator Johnson of Hall, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 56 put on its second reading by the following vote:

Yeas—26.

Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Henderson.	Westbrook.
Hopkins.	Woodward.

Absent.

Harley.

Absent—Excused.

Alderdice.	Lattimore.
Hall.	McCollum.

The Chair laid before the Senate on second reading:

S. B. No. 56, A bill to be entitled "An Act creating an independent school district known as "Stratford Independent School District" and to provide for the creation of a board of trustees thereof and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers and providing authority to issue bonds for the purpose of purchasing school sites and constructing, furnishing and equipping school buildings within the same, and to levy a tax therefor, etc., and declaring an emergency."

The Senate rule requiring Committee reports to lie over one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Johnson of Hall, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 56 put on its third reading and final passage by the following vote:

Yeas—25.

Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Clark.	Parr.
Dayton.	Robbins.
Dean.	Smith.
Decherd.	Strickland.
Floyd.	Suiter.
Henderson.	Westbrook.
Hopkins.	Woodward.
Hudspeth.	

Absent.

Gibson.

Harley.

Absent—Excused.

Alderdice.
Hall.

Lattimore.
McCollum.

The bill was laid before the Senate, read third time and, on motion of Senator Johnson of Hall, was passed by the following vote:

Yeas—25.

Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Clark.	Parr.
Dayton.	Robbins.
Dean.	Smith.
Decherd.	Strickland.
Floyd.	Suiter.
Henderson.	Westbrook.
Hopkins.	Woodward.
Hudspeth.	

Absent.

Gibson.

Harley.

Absent—Excused.

Alderdice.
Hall.

Lattimore.
McCollum.

Senate Bill No. 53.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 53, A bill to be entitled

"An Act to amend Section 36 of House Bill No. 820, which was an Act creating a more efficient road system for Bowie County, Texas, passed at the Regular Session of the Thirty-fifth Legislature, so that the same shall provide that the members of the commissioners' court of Bowie County shall be ex officio road commissioners of their respective precincts, inspect the roads of their respective precincts at least five days in each quarter, and that each shall receive compensation for his services as such special road commissioner the sum of \$600.00 per annum, and providing that each commissioner as a member of the commissioners' court shall receive the sum of \$3.00 for each and every day he may serve as a member of such court at any special or regular term thereof, and that the county judge of Bowie County shall also receive \$3.00 per day for serving as a member of the commissioners' court, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Henderson, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 53 put on its third reading and final passage by the following vote:

Yeas—25.

Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Clark.	Parr.
Dayton.	Robbins.
Dean.	Smith.
Decherd.	Strickland.
Floyd.	Suiter.
Henderson.	Westbrook.
Hopkins.	Woodward.
Hudspeth.	

Absent.

Gibson.	Harley.
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Absent—Excused.

Alderdice.	Lattimore.
Hall.	McCollum.

The bill was laid before the Senate, read third time and, on motion of Senator Henderson, was passed by the following vote:

Yeas—25.

Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Clark.	Parr.
Dayton.	Robbins.
Dean.	Smith.
Decherd.	Strickland.
Floyd.	Suiter.
Henderson.	Westbrook.
Hopkins.	Woodward.
Hudspeth.	

Absent.

Gibson.	Harley.
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Absent—Excused.

Alderdice.	Lattimore.
Hall.	McCollum.

Senate Bill No. 52.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 52, A bill to be entitled "An Act creating the Annona Independent School District in Red River County, Texas, including the present existing Annona Independent School District and certain other territory in said county, defining its boundaries, vesting said Annona Independent School District as created by this Act with all the rights, powers, privileges and duties exercised by independent school districts incorporated under the General Laws of this State; providing for the management and control of the district by a board of seven school trustees, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Floyd, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 52 put on its third reading and final passage by the following vote:

Yeas—26.

Bailey.	Clark.
Bee.	Dayton.
Buchanan of Bell.	Dean.
Buchanan of Scurry.	Decherd.
Caldwell.	Floyd.

Gibson.	Page.
Henderson.	Parr.
Hopkins.	Robbins.
Hudspeth.	Smith.
Johnson of Hall.	Strickland.
Johnston of Harris.	Suiter.
King.	Westbrook.
McNealus.	Woodward.

Absent.

Harley.

Absent—Excused.

Alderdice.	Lattimore.
Hall.	McCollum.

The bill was laid before the Senate, read third time and, on motion of Senator Floyd, was passed by the following vote:

Yeas—26.

Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Henderson.	Westbrook.
Hopkins.	Woodward.

Absent.

Harley.

Absent—Excused.

Alderdice.	Lattimore.
Hall.	McCollum.

Senate Bill No. 55.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 55, A bill to be entitled "An Act to amend an Act entitled 'An Act to create the Robstown Independent School District, known as Common School District No. 30, in Nueces County, Texas, etc.,' passed by the First Called Session of the Thirty-second Legislature, 1911, and approved August 31, 1911, by amending Section 3 thereof so as to provide for the assessment and collection of taxes by the assessor and collector of Nueces County, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 55 put on its third reading and final passage by the following vote:

Yeas—26.

Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Henderson.	Westbrook.
Hopkins.	Woodward.

Absent.

Harley.

Absent—Excused.

Alderdice.	Lattimore.
Hall.	McCollum.

The bill was laid before the Senate, read third time and, on motion of Senator Parr, was passed by the following vote:

Yeas—27.

Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.
Hopkins.	

Absent—Excused.

Alderdice.	Lattimore.
Hall.	McCollum.

Senate Bill No. 42.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 42, A bill to be entitled

"An Act creating the Granger Independent School District in the County of Williamson, State of Texas; defining its boundaries, providing for a board of trustees to manage and control the public free schools within said district; divesting the old Granger Independent School District, created under the General Laws of the State, of the control of its public free schools and the title of all property now in the Granger Independent School District here created and its board of trustees; for the assessment and collection of taxes, and for the appointment and election by the board of trustees of a treasurer; granting power unto said board of trustees to issue common bonds, and providing for a sinking fund therefor; granting unto said board of trustees power to purchase school sites, and erecting, furnishing, equipping and maintaining schools and school buildings within said district, and providing for an emergency, etc."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Caldwell, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 42 put on its third reading and final passage by the following vote:

Yeas—26.

Bailey.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Harris.
Buchanan of Scurry.	King.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.

Absent.

Johnson of Hall.

Absent—Excused.

Alderdice.	Lattimore.
Hall.	McCollum.

The bill was laid before the Senate, read third time and, on motion of Senator Caldwell, was passed by the following vote:

Yeas—26.

Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnson of Harris.
Buchanan of Scurry.	King.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Henderson.	Westbrook.
Hopkins.	Woodward.

Absent.

Harley.

Absent—Excused.

Alderdice.	Lattimore.
Hall.	McCollum.

House Bill No. 12.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

H. B. No. 12, A bill to be entitled "An Act to amend Article 890, Chapter 6, Title 13, of the Penal Code, Revised Criminal Statutes, 1911, relating to the shipment of certain game."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Page, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 12 put on its third reading and final passage by the following vote:

Yeas—26.

Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnson of Harris.
Buchanan of Scurry.	King.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Harley.	Suiter.
Henderson.	Westbrook.
Hopkins.	Woodward.

Absent.

Decherd.

Absent—Excused.

Alderdice.	Lattimore.
Hall.	McCollum.

The bill was laid before the Senate, read third time, and on motion of Senator Page, was passed by the following vote:

Yeas—27.

Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.
Hopkins.	

Absent—Excused.

Alderdice.	Lattimore.
Hall.	McCollum.

Message from the House.

Hall of the House of Representatives.
Austin, Texas, May 9, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 16, A bill to be entitled "An Act to amend Chapter 15, Title 48, of the Revised Civil Statutes of the State of Texas, by adding thereto Article 1815c, to provide for the incorporation of the whole or any part of independent or common school districts into an independent school district constituted by an incorporated city or town, and providing for the assumption by such incorporated city or town of the whole or any part of the bonded indebtedness of such independent or common school district, and declaring an emergency."

H. B. No. 20, A bill to be entitled "An Act to appropriate certain sums of money out of the general funds of the State, not otherwise appropriated, for the fiscal years beginning September 1, 1917, and September 1, 1918, to be used for the purpose of the inspection and eradication of citrus canker and other dangerous

diseases and pests now threatening the destruction of the citrus industry in this State, and in order to secure a like appropriation from the Federal government for the same purpose."

H. B. No. 26, A bill to be entitled "An Act to amend Chapter 207 of the laws of the Thirty-fifth Legislature, Regular Session, pages 474 to 485, published laws of said session, regulating the operation of motor vehicles on the public highways in this State, and approved by the Governor April 9, 1917, by adding thereto, after Section 44, Sections 45 and 46, providing in substance that all violations of the said Act for which specific penalties are not therein provided shall constitute a misdemeanor, and fixing the punishment therefor; and further, giving peace officers the right to arrest without warrant for offenses against said Act committed in their view or within their presence, and declaring an emergency."

H. B. No. 41, A bill to be entitled "An Act to amend an Act passed at the Regular Session of the Thirty-third Legislature of the State of Texas, entitled 'An Act granting unto the municipal authorities of the City of Austin, Texas, the right to establish, operate and maintain a public municipal auditorium upon the tract of land bounded on the north by Fifth Street, on the south by Fourth Street, on the east by Guadalupe Street, and on the west by San Antonio Street, in the City of Austin, and changing the designation upon the map of the City of Austin of said tract from public square to public municipal auditorium,' so as to grant to the City of Austin for ninety-nine years the said land for a municipal auditorium and market, to hereafter read as follows, and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Bills read and Referred.

The Chair (President Pro Tem. Suiter) had referred, after their captions had been read, the following House bills:

H. B. No. 16, referred to the Committee on Educational Affairs.

H. B. No. 20, referred to the Committee on Finance.

H. B. No. 26, referred to the Com-

mittee on Criminal Jurisprudence.

H. B. No. 41, referred to the Committee on Public Buildings and Grounds.

House Bill No. 1.

(Pending.)

Action recurred upon pending business, House Bill No. 1, the question being upon the adoption of the committee report.

Senator Dean offered the following:

Amend the committee report on House Bill No. 1 so that said report shall read as follows:

Committee Report.

Austin, Texas, May 3, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We your Committee on Finance, to whom was referred

H. B. No. 1,

Have had the same under consideration, and beg leave to report it back to the Senate, with the recommendation that it do pass, with the following committee substitute as an amendment, and be not printed and that the amendment be not printed in the Journal.

Committee amendment:

Strike out all after the enacting clause and insert in lieu thereof all of Senate Bill No. 10 after enacting clause, a copy of which is hereto attached.

HUDSPETH, Chairman.
DEAN.

The amendment was read and adopted.

The committee report as amended was adopted.

Senator Hudspeth offered the following amendment, which was read and adopted:

(1) Amend the bill, page 3, line 10, by striking out the figures \$1,200.00 in each year and insert in lieu thereof \$2,000.00 for each year.

Senator Hudspeth offered the following:

(2) Amend the bill, page 3, line 18, by striking out the figures \$50.00 in the year 1918, and insert in lieu thereof the figures \$550.00 for the year 1918.

Senator Bailey offered the follow-

ing amendment to the amendment, which was adopted:

Amend the amendment by adding the following: Provided all books purchased with the fund shall be purchased subject to the approval of the Court of Criminal Appeals or a majority of justices thereof.

The amendment as amended was then adopted.

Senator Dean offered the following amendment, which was read and adopted:

(3) Amend page 3 by inserting after line 21, the following:

Provided, it shall be the duty of said clerk, on the first Monday of July, October, January and April of each year to make a report to the Comptroller, showing the amount of fees collected each year, giving the number of cases, but not necessarily the style of case, together with the fees from other sources, stating in each instance the source. The report shall be accompanied by the receipt or receipts of the State Treasurer for the amounts of said bills.

Senator Caldwell offered the following amendment, which was read and adopted:

(4) Amend the bill by inserting in line 20, page 3: "Telephone for Assistant Attorney General, sixty dollars each year."

Senator Caldwell offered the following:

Amend substitute House Bill No. 1 by adding on page 5 to line 32 the following:

For the year ending
Aug. 31, 1918. Aug. 31, 1919.

Salary	
of Clerk..	\$2,500.00 \$2,500.00

The above salary of the clerk is fixed in lieu of other compensation allowed by law during the life of this appropriation; provided, that said clerk shall collect and pay into the Treasury of the State all costs to be collected by him, under such laws as now exist, or may be hereafter enacted, under such further rules and regulations as shall be prescribed by the Comptroller, subject to the approval of the judges of said court; provided, however, that said clerk may appoint one deputy, whose compensation shall not exceed one thousand dollars per annum, to be paid to said deputy by the clerk out of such costs as are collected by him, the balance of said costs, after pay-

ment of said deputy to be paid by said clerk into the State Treasury.

Senator Clark moved to table the amendment, which motion was lost by the following vote:

Yeas—11.

Buchanan of Bell.	Johnson of Hall.
Clark.	King.
Dean.	Smith.
Decherd.	Suiter.
Floyd.	Westbrook.
Hopkins.	

Nays—13.

Bailey.	McNealus.
Bee.	Page.
Buchanan of Scurry.	Parr.
Caldwell.	Robbins.
Gibson.	Strickland.
Henderson.	Woodward.
Johnston of Harris.	

Present—Not Voting.

Dayton.	Hudspeth.
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Absent.

Harley.

Absent—Excused.

Alderdice.	Lattimore.
Hall.	McCollum.

Senator Henderson offered the following amendment to the pending amendment:

Amend the amendment by adding at the end thereof the following:

Provided that said clerk shall keep a correct account of all fees collected and shall file with the Comptroller of Public Accounts on the first day of each month an itemized statement of all fees collected by him, including certified copies of instruments, during the preceding month, said report giving the number of the case in which said fees are collected.

Senator Hudspeth moved the previous question on the adoption of the amendment and the amendment to the amendment, which being duly seconded, the main question was ordered.

The amendment to the amendment was adopted.

The amendment as amended was then lost by the following vote:

Yeas—11.

Bee.	Hudspeth.
Caldwell.	Johnston of Harris.
Henderson.	McNealus.

Page.	Strickland.
Parr.	Woodward.
Robbins.	

Nays—13.

Bailey.	Floyd.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnson of Hall.
Clark.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Decherd.	

Absent.

Gibson.

Absent—Excused.

Alderdice.	Lattimore.
Hall.	McCollum.

Pair Recorded.

Senator King (present), who would vote "nay;" Senator Harley (absent), who would vote "yea."

Senator Hudspeth moved the previous question on the engrossment of the bill, which being duly seconded, the main question was ordered by the following vote:

Yeas—17.

Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Clark.	King.
Dayton.	Page.
Dean.	Parr.
Decherd.	Suiter.
Henderson.	Westbrook.
Hopkins.	Woodward.
Hudspeth.	

Nays—8.

Buchanan of Scurry.	McNealus.
Caldwell.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.

Present—Not Voting.

Bailey.

Absent.

Harley.

Absent—Excused.

Alderdice.	Lattimore.
Hall.	McCollum.

The bill was read second time and passed to its third reading by the following vote:

Yeas—24.

Bailey.	Buchanan of Bell.
Bee.	Buchanan of Scurry.

Caldwell.	King.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Robbins.
Henderson.	Smith.
Hopkins.	Strickland.
Hudspeth.	Suiter.
Johnson of Hall.	Westbrook.
Johnston of Harris.	Woodward.

Nays—1.

Gibson.

Present—Not Voting.

Floyd.

Absent.

Harley.

Absent—Excused.

Alderdice.

Lattimore.

Hall.

McCollum.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 1 was put on its third reading and final passage by the following vote:

Yeas—24.

Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Clark.	Parr.
Dayton.	Robbins.
Dean.	Smith.
Decherd.	Strickland.
Henderson.	Suiter.
Hopkins.	Westbrook.
Hudspeth.	Woodward.

Present—Not Voting.

Floyd.

Gibson.

Absent.

Harley.

Absent—Excused.

Alderdice.

Lattimore.

Hall.

McCollum.

The bill was laid before the Senate, read third time and, on motion of Senator Hudspeth, was passed finally.

House Bill No. 2.

Senator Caldwell called up from the Senate on second reading:

H. B. No. 2, A bill to be entitled

"An Act making appropriations to the table and the Chair laid before pay the salaries of officers and employes of certain eleemosynary institutions of the State and other expenses of maintaining and conducting them as follows, to wit: State Orphan Home, Confederate Home, Confederate Woman's Home, Epileptic Colony, Deaf, Dumb and Blind Institution for Colored Youths, State Institution for the Training of Juveniles, Tuberculosis Sanatorium at Carlsbad, State Lunatic Asylum, Southwestern Insane Asylum, North Texas Hospital for the Insane, Training School for Girls, State Hospital for Crippled Children, State Farm Colony for Feeble-Minded, and State Bureau of Child and Animal Protection, and declaring an emergency."

On motion of Senator Caldwell, the vote by which the committee report was adopted was rescinded.

Senator Dean offered the following amendment to the committee report:

Amend the committee report on House Bill No. 2 by striking out all after the words "declaring an emergency," and inserting in lieu thereof the following:

Have had the same under consideration, and I am instructed to report the same back with the recommendation that it do pass, with the following committee substitute as an amendment, and be not printed and that the amendment be not printed in the Journal.

Committee amendment:

Strike out all after the enacting clause and insert in lieu thereof all of Senate Bill No. 17, after the enacting clause, a copy of which is hereto attached.

HUDSPETH, Chairman.

The amendment was adopted.

The committee report as amended was adopted.

Senator Johnson of Hall moved that the bill be considered, one institution at a time.

The motion prevailed.

H. B. No. 2, pending.

Senate Bill No. 28.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 28, A bill to be entitled

"An Act to provide for the organization of a Ranger force for the protection of the frontier against marauding and thieving parties, foreign foes or any enemy of the State of Texas, or the Government of the United States, and for the suppression of lawlessness and crime throughout the State, or to suppress any invasion from an alien enemy of this State or any State of the United States of America; to prescribe duties and powers of members of such force; to regulate their compensation; and declaring an emergency."

The committee report carrying the adoption of the committee amendments was adopted.

Senator Dayton offered the following:

(1) Amend Senate Bill No. 28 in Section 7 by striking out the words and figures "five hundred thousand dollars (\$500,000.00).", and insert in lieu thereof the words and figures "two hundred and fifty thousand dollars (\$250,000.00.)"

Senator Clark moved to table the amendment, which motion was lost by the following vote:

Yeas—9.

Bailey.	Hudspeth.
Bee.	King.
Caldwell.	Parr.
Clark.	Woodward.
Harley.	

Nays—14.

Buchanan of Scurry.	Johnston of Harris.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Johnson of Hall.	Suiter.

Absent.

Buchanan of Bell. Westbrook.

Absent—Excused.

Alderdice.	Lattimore.
Hall.	McCollum.

Pair Recorded.

Senator Henderson (present), who would vote "nay;" Senator Hopkins (absent), who would vote "yea."

Senator Henderson moved the previous question on the adoption of the amendment, which being duly sec-

onded, the main question was ordered.

The amendment was then adopted.

Senator Henderson offered the following amendment, which was read and adopted:

(2) Amend the bill, Section 6, by adding after the word "period" in line 16 the following: "of such time as the Governor of this State may deem necessary, not to exceed three years."

Senator Gibson offered the following amendment:

Amend the bill, page 104 of the Journal, by striking out "\$125.00" in line 3 of Section 3 and inserting "\$75.00" in lieu thereof, and by striking out "\$60.00" in line 5 of Section 3 and inserting "\$40.00" in lieu thereof, and by striking out "\$50.00" in lines 6 and 7 of said section and inserting in lieu thereof "\$30.00."

GIBSON,
WOODWARD.

On motion of Senator Hudspeth, the amendment was tabled.

Senator Parr offered the following:

Amend Senate Bill No. 28 by inserting in Section 6 after the words "relative to pay," and after the words "payment of the salaries," and after the words "on the same salaries" the following words: "rations and forage."

Senator Hudspeth moved to table the amendment, and the motion prevailed.

Senator Hudspeth moved the previous question on the engrossment of the bill, which being duly seconded, the main question was ordered.

The bill was read second time and passed to engrossment.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 28 put on its third reading and final passage by the following vote:

Yeas—24.

Bailey.	Floyd.
Bee.	Gibson
Buchanan of Scurry.	Harley.
Caldwell.	Henderson.
Clark.	Hudspeth.
Dayton.	Johnson of Hall.
Dean.	Johnston of Harris.
Decherd.	King.

McNealus.	Strickland.
Page.	Suiter.
Parr.	Westbrook.
Smith.	Woodward.

Nays—1.

Robbins.

Absent.

Buchanan of Bell. Hopkins.

Absent—Excused.

Alderdice.	Lattimore.
Hall.	McCollum.

The bill was laid before the Senate, read third time and, on motion of Senator Hudspeth, was passed by the following vote:

Yeas—23.

Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Smith.
Floyd.	Strickland.
Gibson.	Westbrook.
Harley.	Woodward.
Henderson.	

Nays—2.

Robbins. Suiter.

Absent.

Buchanan of Bell. Hopkins.

Absent—Excused.

Alderdice.	Lattimore.
Hall.	McCollum.

Senator McNealus moved to reconsider the vote by which Senate Bill No. 28 was passed and table the motion to reconsider.

The motion to table prevailed.

Adjournment.

At 5 p. m., on motion of Senator Caldwell, the Senate adjourned until 10 o'clock tomorrow.

APPENDIX.

Petitions and Memorials.

Senator Buchanan of Bell sent up a petition from Temple Mother's Bible Class, requesting that he use

his vote and influence against the Sunday amusement bill.

Senators Hall and McNealus offered petitions from Dallas and Palacios, Texas, opposing the Sunday amusement bill.

Telegrams to Senators Gibson from Bonham and Deport, Texas, requesting the present textbook law remain unchanged.

Senators Bailey and Hall sent up and had read telegrams from Yoakum and Galveston endorsing the Full Crew Bill.

Senator Bee offered a telegram from the Automobile Association of San Antonio favoring a Sunday law prohibiting the sale of gasoline and automobile accessories on Sunday.

Engrossing Committee Report.

Committee Room,

Austin, Texas, May 9, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 53 carefully compared, and finds same correctly engrossed.

CALDWELL, Chairman.

Enrolling Committee Report.

Committee Room,

Austin, Texas, May 9, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Concurrent Resolution No. 10 and find it correctly enrolled, and have this day at 12 o'clock presented same to the Governor for his approval.

SMITH, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, May 9, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 58, A bill to be entitled "An Act to amend Article 5890, Chapter 3, Title 91, of the Revised Civil Statutes of 1911 of the State

of Texas pertaining to the unlawful disposition of property, illegal wearing of uniform and the discrimination against any person lawfully wearing the uniform of the army, navy, marine corps or revenue cutter service of the United States, or of the National guard or naval service of this State, or otherwise in the military or naval service of the United States or of this State, as prescribed for such person at that time or place by law, regulation or the service or custom on account of his wearing such uniform or of his being in such service and prescribing a penalty therefor, and declaring an emergency."

Have had same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

Page, Chairman; King, Strickland, Suiter, Caldwell, Hudspeth, Henderson, Dayton, Westbrook.

(Floor Report.)

Senate Chamber,
Austin, Texas, May 9, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: We, your Committee on Educational Affairs to whom was referred

S. B. No. 26, A bill to be entitled "An Act to amend Section 1, Chapter 80, page 151 of the General Laws of the State of Texas passed by the Thirty-fifth Legislature at its Regular Session, known as House Bill No. 226, approved March 15, 1917, relating to the appropriation of any funds in the State Treasury not otherwise appropriated for the purpose of promoting country public school interest of the State of Texas and aiding the people in providing adequate school facilities for the education of their children, and declaring an emergency."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Bee, Chairman; Robbins, Buchanan of Scurry, Floyd, Smith, Decherd, Dayton, Dean, Johnson.

Committee Room,
Austin, Texas, May 9, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 29, A bill to be entitled "An Act making appropriations to cover authorized deficiencies for fiscal year ending August 31, 1915, and to cover authorized deficiencies for the fiscal year ending August 31, 1916, being amount of registered deficiency warrants as shown by the records of the State Comptroller, and declaring an emergency."

Have had the same under consideration and beg leave to report same back with the recommendation that it do pass and be printed.

HUDSPETH, Chairman.

(Floor Report.)

Senate Chamber,
Austin, Texas, May 9, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 56, A bill to be entitled "An Act creating an independent school district to be known as Stratford Independent School District, and to provide for the creation of a board of trustees thereof and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers and providing authority to issue bonds for the purpose of purchasing school sites and constructing, furnishing and equipping school buildings within the same, and to levy a tax therefor, and to pay current expenses for the maintenance and support of said schools, and providing that the present board of trustees of the Stratford Common School District shall have full control and management of said independent school district until next regular trustee's election, and providing a method for filling vacancies occurring in said board; providing for a board of equalization and prescribing the duty and authority of said board of trustees and repealing all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration and beg to report it back to the Senate, with the recommenda-

tion that it do pass and be not printed.

BEE, Chairman.

(Floor Report.)

Senate Chamber,
Austin, Texas, May 9, 1917.

Hon. W. D. Suiter, President Pro Tempore of the Senate:

Sir: We, your Committee on Rules, having had under consideration Simple Resolution No. 35, which has for its purpose the limiting of debate on amendments to the appropriation bill to five minutes for the proponents and five minutes to the opponents of such amendment beg to report the same back to the Senate with recommendation that it do pass, and that it be not printed.

KING, Chairman.
HOPKINS.
PAGE.

Committee Room,
Austin, Texas, May 9, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 39, A bill to be entitled "An Act making appropriations for deficiencies in appropriation made for support of the Texas School for the Blind for the fiscal year ending August 31, 1917, and declaring an emergency."

Have had the same under consideration and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed, either in bill form or in the Journal.

HUDSPETH, Chairman.

(Floor Report.)

Senate Chamber,
Austin, Texas, May 9, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: We, your Committee on Public Buildings and Grounds to whom was referred

S. B. No. 59, A bill to be entitled "An Act authorizing the Governor of the State of Texas to make sale of lands mentioned and execute a deed conveying to Independent Order of Odd Fellows Widows and Orphans Home an undivided one-half interest in and to a certain two acres of land, being a part of the lands

now used and occupied by the State Orphans Home, such lands so conveyed to be for the joint use and occupancy of the said Independent Order of Odd Fellows Widows and Orphans Home and State Orphans Home for the sinking thereon of a deep water well and a water supply for the two institutions, and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do pass, and be not printed.

Buchanan of Bell, Chairman; Floyd, Henderson, Buchanan of Scurry, Decherd, Caldwell, Westbrook.

(Floor Report.)

Senate Chamber,
Austin, Texas, May 9, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: We, your Committees on Criminal Jurisprudence, to whom was referred

H. B. No. 26, A bill to be entitled "An Act to amend Chapter 207 of the laws of the Thirty-fifth Legislature, regular session, pages 474 to 485, published laws of said session, regulating the operation of motor vehicles on the public highways in this State, and approved by the Governor April 9, 1917, by adding thereto, after Section 44, Sections 45 and 46, providing in substance that all violations of the said Act for which specific penalties are not therein provided shall constitute a misdemeanor and fixing the punishment therefor; and further, giving peace officers the right to arrest without warrant for offenses against said Act committed in their view or within their presence, and declaring an emergency."

Have had the same under consideration and beg leave to report same back to the Senate with the recommendation that it do pass and be printed in the Journal only.

Page, Chairman; Caldwell, Strickland, King, Dayton, Henderson, Hudspeth.

By Holland, Carlock. H. B. No. 26.

A BILL
To be entitled

An Act to amend Chapter 207 of

the laws of the Thirty-fifth Legislature, regular session, pages 474 to 485, published laws of said session, regulating the operation of motor vehicles on the public highways in this State, and approved by the Governor April 9, 1917, by adding thereto, after Section 44, Sections 45 and 46, providing in substance that all violations of the said Act for which specific penalties are not therein provided shall constitute a misdemeanor and fixing the punishment therefor; and further, giving peace officers the right to arrest without warrant for offenses against said Act committed in their view or within their presence, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Chapter 207 of the Acts of the regular session of the Thirty-fifth Legislature regulating the operation of motor vehicles upon the public highways of this State, and published at length in the General Laws of the said session of the Thirty-fifth Legislature, pages 474 to 485, be and the same are hereby amended by adding to the end of said chapter, after Section 44 of said Act, two new sections, to be numbered Sections 45 and 46, respectively, and to read as follows, to wit:

Sec. 45. The violation of any of the provisions or requirements contained in Sections Four (4), Five (5), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Nineteen (19), Twenty (20), Twenty-two (22), Twenty-nine (29) and Thirty (30) of this Act, shall constitute a misdemeanor, punishable upon conviction thereof for the first offense by fine not to exceed one hundred (\$100.00) dollars; and for the second, or any subsequent offense by a fine of not less than ten (\$10.00) dollars nor more than two hundred (\$200.00) dollars.

Sec. 46. Any peace officer within this State shall be authorized to arrest without warrant any person found committing a violation of any of the penal provisions of this Act within his view or in his presence.

Sec. 2. The fact that no penalties were imposed by the original Act for

violation of many of the provisions thereof, rendering same ineffective and non-enforcible as to such provisions, and the further fact that the said law is one of great public importance, constitute an imperative public necessity and create an emergency for the constitutional rule requiring bills to be read on three separate days to be suspended, and that this Act shall go into effect July 1, 1917, to harmonize with the going into effect of the original Act, and the same is so enacted.

(Floor Report.)

Senate Chamber,
Austin, Texas, May 9, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Public Buildings and Grounds, to whom was referred

H. B. No. 41, A bill to be entitled "An Act amending an Act passed at the Regular Session of the Thirty-third Legislature of the State of Texas, entitled 'An Act granting unto the municipal authorities of the City of Austin, Texas, the right to establish, operate and maintain a public municipal auditorium upon the tract of land bounded on the north by Fifth Street, on the south by Fourth Street, on the east by Guadalupe Street, and on the west by San Antonio Street, in the City of Austin; and changing the designation upon the map of the City of Austin of said tract from public square to public municipal auditorium,' so as to grant to the City of Austin for ninety-nine years the said land for a municipal auditorium and market, to hereafter read as follows, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass and be printed in the Journal only.

Buchanan of Bell, Chairman; Buchanan of Scurry, Caldwell, Floyd, Decherd, Westbrook, Henderson.

By Mendell, Robertson. H. B. No. 41.

A BILL
To be entitled

An Act amending an Act passed at the Regular Session of the Thirty-third Legislature of the State of

Texas, entitled "An Act granting unto the municipal authorities of the City of Austin, Texas, the right to establish, operate and maintain a public municipal auditorium upon the tract of land bounded on the north by Fifth Street, on the south by Fourth Street, on the east by Guadalupe Street, and on the west by San Antonio Street, in the City of Austin; and changing the designation upon the map of the City of Austin of said tract from public square to public municipal auditorium," so as to grant to the City of Austin for ninety-nine years the said land for a municipal auditorium and market, to hereafter read as follows, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the official and public designation upon the original plat of the City of Austin, Texas, made in A. D. 1839, of the block of ground in the City of Austin, Texas, bounded on the north by Fifth Street, on the south by Fourth Street, on the east by Guadalupe Street, and on the west by San Antonio Street, in the City of Austin, Texas, be and the same is hereby changed from public square to public municipal auditorium and market square.

Sec. 2. That the State of Texas hereby cedes and grants to the City of Austin the plot or square of land described in Section 1 of the Act for a period of ninety-nine years from the taking effect hereof, and said city, through its municipal authorities, be and the same is hereby authorized and empowered to establish, operate and maintain upon said block bounded on the north by Fifth Street, on the south by Fourth Street, on the east by Guadalupe Street, and on the west by San Antonio Street, a municipal auditorium and market, in which auditorium, theatres, operas, concerts, lectures, fairs, shows and public exhibitions and entertainments generally can be conducted with or without pay; and in this market all kinds of produce may be bought and sold, either in the open square or in a market house constructed thereon; provided, however, that the State does not by this Act part with any title, color of title or interest which it now owns in the property described in this bill, except as granted herein. In the event, however, the City of

Austin should fail to use the plot of land described herein for the purpose or purposes designated, the same shall revert to the State as upon breach of condition subsequent.

Sec. 3. The crowded condition of the business before the Special Session and the fact that only a few days remain for legislative business, create an emergency requiring the suspension of the constitutional rule requiring that the bill shall be read on three several days, and said rule is accordingly suspended, and that this Act be in force and take effect from and after its passage, and it is so enacted.

SIXTEENTH DAY.

Senate Chamber,
Austin, Texas.

Thursday, May 10, 1917.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Harley.	Suiter.
Henderson.	Westbrook.
Hopkins.	Woodward.

Absent—Excused.

Alderdice.	McCollum.
Hall.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with, on motion of Senator Johnson of Hall.

Petitions and Memorials.

See Appendix.

Committee Reports.

See Appendix.